

SECOND REGULAR SESSION

SENATE BILL NO. 809

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR STOFFER.

Pre-filed December 1, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

3492S.011

AN ACT

To amend chapter 226, RSMo, by adding thereto one new section relating to the regulation of outdoor advertising.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 226, RSMo, is amended by adding thereto one new section, to be known as section 226.541, to read as follows:

226.541. In conjunction with construction projects on I-70 and I-44, the following regulations shall apply to all off-premise outdoor advertising structures within six hundred sixty feet of I-70 and I-44 from the date the Missouri highway and transportation committee approves funding for new construction on any phase or portion of the interstate until such section or phase of the project is completed:

(1) The required spacing between outdoor advertising structures on the same side of the highway shall be five hundred feet;

(2) Stacked structures shall be allowed provided the total display area of any sign may not exceed one thousand two hundred square feet in any one direction;

(3) Sign structures must be located on commercial or industrially zoned property or be within seven hundred fifty feet of a commercial business meeting the statutory and regulatory requirements of a qualifying business;

(4) Outdoor advertising structures may not exceed one thousand two hundred square feet of display area in any one direction. However, existing conforming sign structures which are relocated or rebuilt under the provisions of this section may not exceed eight hundred square feet of display area in any one direction following reconstruction so as to conform to the size requirements to be

22 instituted following completion of the highway construction;

23 (5) The relocation or rebuilding of existing conforming signs to
24 be displaced by highway construction shall be allowed and shall not
25 require a new sign permit provided the relocation is on the same or
26 adjoining property, the sign would remain conforming under the size
27 and spacing requirements provided in this section and a relocation
28 agreement has been executed between the sign owner and the Missouri
29 department of transportation;

30 (6) In the event the Missouri department of transportation
31 intends to condemn an existing sign in conjunction with highway
32 improvements on I-70 or I-44 which conforms to the size and spacing
33 requirements provided in this section, the Missouri department of
34 transportation shall provide written notice of the proposed
35 condemnation to the sign owner or owners and the land owner upon
36 which the existing sign is located. The owner of existing sign
37 structures which conform to the requirements of this section may
38 voluntarily execute a relocation agreement with the Missouri highway
39 and transportation commission which specifies the size, type, and new
40 location of the sign to be relocated or rebuilt as well as the amount of
41 relocation costs to be paid by the Missouri department of
42 transportation in conjunction with the relocation or rebuilding of such
43 sign. In the event a conforming sign cannot be relocated or the owner
44 declines to do so, the Missouri department of transportation shall pay
45 the owner of such sign structure just compensation in accordance with
46 Missouri law. In the event the sign owner elects to relocate an existing
47 sign which conforms with the regulations of this section, said sign
48 owner shall receive just compensation equal to the reasonable direct
49 and indirect cost to relocate the existing sign to the same or adjoining
50 property;

51 (7) Relocated or rebuilt signs may be increased in size not to
52 exceed eight hundred square feet in any one direction and may include
53 new or different materials. Lighting may be added to existing
54 conforming signs;

55 (8) The Missouri department of transportation shall impose a
56 temporary moratorium on permits for new signs during the highway
57 construction and while the size, spacing, and location requirements
58 provided in this section are in effect;

59 **(9) No local zoning authority may prohibit the relocation or**
60 **rebuilding, on the same or adjoining premises, of existing signs**
61 **displaced by I-70 or I-44 construction and which conform to the size**
62 **and spacing provisions as provided in this section. Local zoning**
63 **authorities may require a building permit only to assure the rebuilt**
64 **sign complies with reasonable wind load and electrical safety**
65 **requirements and may charge a permit fee equal to the cost to review**
66 **and issue such permit;**

67 **(10) Immediately upon the completion of construction on I-70 or**
68 **I-44, the temporary moratorium on sign permits shall be lifted and new**
69 **permits shall be issued in accordance with the regulations in effect at**
70 **that time on other Missouri primary and interstate highways and such**
71 **regulations shall automatically be in effect on said highway.**

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Bill

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